

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MONTEREY BAY MILITARY HOUSING, LLC, et al.,

Plaintiffs,

-v-

AMBAC ASSURANCE CORPORATION, et al.,

Defendants.

CIVIL ACTION NO.: 19 Civ. 9193 (PGG) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Before the Court is the request of Defendants Jefferies & Company Inc., Jefferies Group LLC, Jefferies L.L.C., and Jefferies Mortgage Finance, Inc. (“Jefferies Defendants”) for a discovery conference to compel the reopening of the deposition of Mark Connor (“Mr. Connor”), an attorney with the U.S. Department of the Army (the “Army”). (ECF Nos. 669-70 (the “Request”)). The Army opposed the Request (ECF Nos. 675-66), and the Jefferies Defendants submitted a letter in reply (ECF Nos. 679-80). In support of their Request, the Jefferies Defendants have submitted excerpts of Mark Connor’s deposition, taken April 24, 2023 (ECF Nos. 669-1, 670-1), but have not submitted a full copy of the deposition transcript. In its opposition, the Army submitted a December 2, 2022 letter that references a November 21, 2022 letter requesting that Defendant Dan Ray (“Mr. Ray”) withdraw a deposition subpoena issued to Mr. Connor. (ECF Nos. 675-3, 676-3). The Army has not submitted the November 21, 2022 letter or the deposition subpoena. The Court has determined that these materials are necessary to resolve the Request.

Accordingly, the Court orders as follows:


1. The letter-motion at ECF No. 678 to file the document at ECF No. 680 with redactions is GRANTED. The document at ECF No. 679 shall remain as only visible to the selected parties.

2. By **May 5, 2023**, the Jefferies Defendants shall file a complete copy of Mark Connor's April 24, 2023 deposition transcript.
3. By **May 5, 2023**, the Army shall file the November 21, 2022 letter and deposition subpoena referenced at ECF Nos. 675-3 and 676-3.
4. By **May 8, 2023**, Mr. Ray shall file a letter indicating whether he takes any position on the Request.
5. A telephone conference to discuss the Request is scheduled for **Friday, May 12, 2023, at 10:00 a.m.** on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time.

The Clerk of Court is respectfully directed to close ECF No. 678.

Dated: New York, New York
May 4, 2023

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge